

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

BLATCHFORD PRODUCTS LIMITED,	)	
Lister Road	)	
Basingstoke	)	Civil Action No. 1:14-cv-00529
Hampshire	)	
RG22 4AH	)	
United Kingdom	)	
	)	[Judge _____]
and	)	
	)	
BLATCHFORD, INC.,	)	
1031 Byers Road	)	
Miamisburg, Ohio 45342	)	
	)	
Plaintiffs,	)	
v.	)	
	)	
FREEDOM INNOVATIONS, LLC,	)	
3 Morgan	)	
Irvine, California 92618	)	
	)	
Defendant.	)	

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**COMPLAINT FOR FEDERAL PATENT INFRINGEMENT**

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1. Plaintiff Blatchford Products Limited (“Blatchford Limited”) is a corporation organized and existing under the laws of the United Kingdom, having its registered address at Lister Road, Basingstoke, Hampshire, United Kingdom RG22 4AH. Blatchford Limited is a wholly-owned subsidiary of Chas. A. Blatchford & Sons Limited (“Chas. A. Blatchford & Sons”), also a corporation organized and existing under the laws of the United Kingdom.

2. Co-plaintiff Blatchford, Inc. is a Delaware corporation that maintains its principal place of business within this judicial district at 1031 Byers Road, Miamisburg,

Ohio 45342. Blatchford, Inc. is also a wholly-owned subsidiary of Chas A. Blatchford & Sons Limited, the Blatchford entities collectively referred to herein as “Blatchford.”

3. Defendant Freedom Innovations, LLC (“Freedom Innovations”) is, on information and belief, a corporation organized and existing under the laws of the State of Delaware, having a principal place of business at 3 Morgan, Irvine, California 92618.

4. This is an action for federal patent infringement pursuant to 35 U.S.C. § 281. This Court has jurisdiction over the subject matter of this action pursuant to 28 U.S.C. §§ 1331 and 1338(a), and venue has been properly laid in this District pursuant to 28 U.S.C. §§ 1391(c) and 1400(b).

5. Blatchford is a leading manufacturer of a variety of medical care devices including prosthetic devices for enhancing the lifestyles of individuals that suffer from loss of limbs. Blatchford has been actively engaged in this field since its establishment more than 120 years ago in London, England.

6. Blatchford is also actively engaged in extensive research and development efforts directed to enhancing the features of its prosthetic products, as well as to the design of new products.

7. In 2008 Blatchford introduced a new design for a prosthetic foot/ankle assembly incorporating an innovative ankle design utilizing hydraulic damping in order to provide added stability and a more natural gait during ambulation. Blatchford’s innovative product, marketed under the trademark ECHELON®, has achieved significant market acceptance. The ECHELON® product is manufactured in part and assembled by Blatchford, Inc. at its facility in Miamisburg for sale in the United States.

8. Blatchford Limited is the record owner of all interest in and to United States Patent Nos. 8,574,312 (“the ’312 patent”) and 8,740,991 (“the ’991 patent”), both of which are entitled “Prosthetic Ankle Joint Mechanism.” The ’312 patent, a copy of which is attached as Exhibit 1, was granted on November 5, 2013, while the ’991 patent (attached as Exhibit 2) was granted on June 3, 2014. The ’312 and ’991 patents are directed to the innovative features incorporated in Blatchford’s ECHELON® product. Blatchford, Inc. is the exclusive licensee for sales of the patented products in the United States.

9. On information and belief, Freedom Innovations is engaged in the manufacture, marketing, distribution, and sale of a prosthetic foot product under the brand name “Kinterra,” which is sold through established distribution channels throughout the United States, including in this judicial district. Further, on information and belief, the Kinterra product incorporates the innovative features of the ECHELON® product and is encompassed by Blatchford’s ’312 and ’991 patents in suit.

10. The manufacture, use, sale or offer of sale of the Kinterra product by Freedom Innovations constitutes infringement of the ’312 and ’991 patents within the meaning of 35 U.S.C. § 271.

11. Blatchford has previously given notice to Freedom Innovations of its claims under the ’312 patent, but Freedom has not abated any of its relevant activity to Blatchford’s knowledge. Accordingly, Freedom Innovations’ acts of unauthorized manufacture and sale will apparently continue unabated unless and until enjoined by this Court.

12. On information and belief, Freedom Information's acts of infringement have been committed in willful and deliberate disregard for Blatchford's patent rights and without reasonable justification therefor, thereby making this an exceptional case within the meaning of 35 U.S.C. § 285.

WHEREFORE, Blatchford prays for the entry of a judgment:

1. Holding that Freedom Innovations has manufactured, marketed, and sold prosthetic foot products and related equipment that infringe relevant claims of the '312 and '991 patents;
2. Awarding Blatchford damages sufficient to compensate for such unauthorized acts of infringement in accordance with 35 U.S.C. § 284, together with prejudgment interest;
3. Increasing the damages up to three times by virtue of the willful and deliberate nature of Freedom Innovations' acts of infringement in accordance with 35 U.S.C. § 284;
4. Awarding Blatchford its reasonable attorneys' fees and costs incurred in connection with this action;
5. Permanently enjoining Freedom Innovations and any parties in privity therewith from any further acts of infringement; and
6. Awarding such other and further relief as the Court may deem just and proper.

Dated: June 25, 2014

Respectfully submitted,

/s/ Charles H. Brown, III

Charles H. Brown, III

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